

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY H. SHIRLEY,

Defendant.

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8:11CR173

ORDER

This matter is before the court on defendant's MOTION TO JOIN EXPANDED TIME FOR FILING OF PRETRIAL MOTIONS [23]. For good cause shown, I find that the motion should be granted. The defendant will be given an approximate 56-day extension. Pretrial Motions shall be filed by August 30, 2011.

**IT IS ORDERED:**

1. Defendant's MOTION TO JOIN EXPANDED TIME FOR FILING OF PRETRIAL MOTIONS [23] is granted. Pretrial motions shall be filed on or before **August 30, 2011**.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between July 5, 2011 and August 30, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

**DATED this 5th day of July, 2011.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**